

REMARKS

Claims 1-25 are all the claims pending in the application.

The Abstract is amended as required in Office Action. The claims are amended in general to place the claim in a more customary form according to U.S. practice, to correct informalities and to remove the term “characterized.” Claims 5, 6, 12 and 23 are amended as suggested by the Examiner. It is respectfully submitted that the claims would be patentable without the amendments.

The Office Action, in numbered paragraph 7 states “Claims 1-25 are provisionally rejected under the judicially created doctrine of obviousness-type double patenting over claims 1-27 of Application No. 10/678,213.” It is respectfully pointed out that the present application is Application No. 10/678,213. Applicant believes the Examiner intended to reject the claims of the present application in view of claims 1-27 of Application No. 10/678,270 (“the ‘270 Application”). Since the rejection is a provisional rejection at this time, Applicant reserves the right to submit a Terminal Disclaimer when either the ‘270 Application issues as a patent or all the claims in the present application are allowable and the application contains a claim that is subject to the provisional rejection.

Claims 1-25 are rejected under 35 U.S.C. § 112, second paragraph as being indefinite. Specifically the Examiner complains of the phrase “such as” in line 4 of claim 1. Applicant amends claim 1 and it is respectfully submitted that the rejection is obviated.

Claims 1-25 are rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,356,806 to Grob et al. (hereinafter “Grob”). Applicant respectfully traverses the rejection since Grob does not disclose all the elements recited in the claims.

Claim 1, which is the only independent claim in the application, is directed to a “terminal having a longitudinally extended body defining a first portion and a second portion comprising an area of union to the first portion.” The first portion of the terminal has a display device and the second portion has a multiplicity of keys. The claim specifies certain shapes of the terminal with a specific arrangement of the display and various keys. For example, claim 1 requires *inter alia* that “the second portion of the body of the terminal has a width which progressively decreases until reaching said area of union.”

In contrast, Grob is directed to a method for handling a voltage drop in the control of a robot. Fig. 1 of Grob shows a control unit 11 having a display 11a, which is reproduced below. Grob merely describes the control unit at col. 3, lines 27-30, only by stating that a PC computer is connected “to the display 11a of a control unit 11, which in turn communicates with a robot control card 12 connected to the real time operating system 5.” Grob provides no further disclosure of the control unit 11.

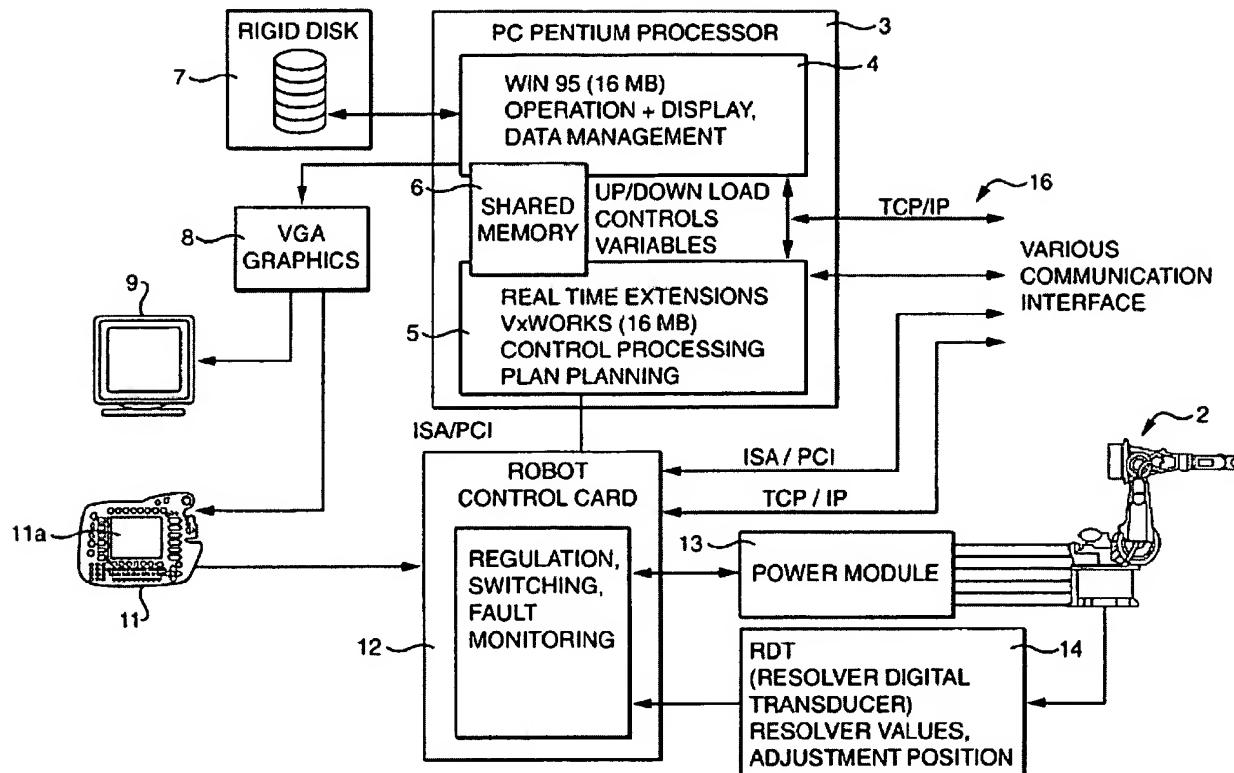


FIG. 1

To anticipate a claim, the reference must teach every element of the claim. See MPEP § 2131. Moreover, “[t]he identical invention must be shown in as complete detail as is contained in the ... claim.” *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989), cited in MPEP § 2131.

It is readily apparent that the overall shape of the control unit 11 disclosed by Grob does not show all the features recited in claim 1, much less in as complete detail as recited in claim 1. For example, Grob’s control unit 11 shown above does not have a narrower intermediate section between a display region and a grip region. Indeed, Fig. 1 of Grob shows that the display 11a is arranged in a substantially central position of the body of the control unit. In contrast, claim 1

requires that the terminal have two well defined and distinct regions, i.e., a first portion, wherein the display is provided, and a second portion, in which a multiplicity of keys are provided.

Claim 1 requires that this second portion has a width that progressively decreases until reaching an area of union with the first portion. As is clearly seen in Fig. 1, Grob does not disclose that the control unit 11 has these features.

Claim 1 further requires a plurality of motion keys comprised of a first and second series of keys which are each positioned along a respective longitudinal side of the second portion.

Claim 1 also requires a plurality of teaching keys being positioned within or close to the area of union of the first and second portions. It is respectfully submitted that Grob neither teaches nor suggests this feature since Grob discloses nothing about the keys, much less that the keys shown on control unit 11 comprise both motion keys and teaching keys. Accordingly, it is respectfully submitted that Grob does not anticipate claim 1.

Similarly, since the remaining claims each depend from claim 1, those claims too are not anticipated by Grob. Additionally, Grob does not teach the limitations recited in the dependent claims. For example, claim 4 recites a “dead man” type safety device in which part of the safety device includes elongated buttons projecting from two opposite longitudinal sides of a recess in a rear part of the terminal. Grob does not disclose the detailed arrangement recited in the claims, such as in claim 4, but rather shows only the simple figure reproduced above of the control unit 11. It is respectfully submitted that Grob does not anticipate any of the claims of the present application.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the

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Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



J. Warren Lytle, Jr.
Registration No. 39,283

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE

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